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The Official Organ of
**THE INTERNATIONAL COMMISSION ON
ZOOLOGICAL NOMENCLATURE**

Edited by

FRANCIS HEMMING, C.M.G., C.B.E.

Secretary to the International Commission on Zoological Nomenclature

CONTENTS :

Copenhagen Discussions : Cases 39–52 Proposals relating to Article 30
(Cases 39–45), Article 31 (Cases 46–48), Article 32 (Case 49),
and Articles 34 and 35 (Cases 50–52)

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EDITORIAL NOTE

The Present Part contains Cases 39 to 52 arranged for discussion at Copenhagen.

Of the foregoing cases the first seven (Cases 39-45) are concerned with various aspects of Article 30 of the *Règles*. Case No. 39 raises a question as to the nominal species to be regarded in certain circumstances as included species and therefore as the species from which alone the type species of a given nominal genus can be selected. Case No. 40 is concerned with the clarification of the existing rules in relation to a nominal genus, the type species of which is alleged to have been based upon a misidentification. Case No. 41 contains a request for the clarification of Rule (c) (type species of monotypical genera). Cases Nos. 42 and 43 are concerned with various aspects of Rule (f) in Article 30, while Cases Nos. 44 and 45 contain requests for the clarification of Rule (g) in that Article.

Cases Nos. 46-48 seek to secure clarifications of, and improvements in, Article 31, in which the rules in Article 30 relating to the application of the names of nominal genera by the provision of type species are applied to the names of nominal species for the purpose of determining the application of those names through the selection of lectotypes.

Case No. 49 contains a request for the addition of a provision to Article 32 permitting the rejection of names on the ground of inappropriateness in certain specified circumstances.

Cases Nos. 50-52 are concerned to secure greater precision in the existing rules regarding the circumstances in which pairs of names are to be regarded as homonyms of one another.

CASE NO. 39

ARTICLE 30 : PROPOSED INSERTION OF A PROVISION CLARIFYING THE QUESTION OF THE NOMINAL SPECIES TO BE REGARDED AS ELIGIBLE FOR SELECTION AS THE TYPE SPECIES OF A GENUS ESTABLISHED WITHOUT CITED NOMINAL SPECIES, IN CASES WHERE A SUBSEQUENT AUTHOR, WITHOUT CITING SUCH A SPECIES, GIVES A BIBLIOGRAPHICAL REFERENCE TO A WORK IN WHICH SUCH A SPECIES IS CITED

(Commission's reference Z.N.(S.)734)

DOCUMENT 39/1

By **FRANCIS HEMMING, C.M.G., C.B.E.**

(Secretary to the International Commission on Zoological Nomenclature)

REPORT ON THE ADOPTION OF A "DECLARATION" CLARIFYING THE POSITION REGARDING THE SPECIES TO BE REGARDED AS ELIGIBLE FOR SELECTION AS THE TYPE SPECIES OF A NOMINAL GENUS ESTABLISHED WITH NO CITED NOMINAL SPECIES

The question regarding the species to be regarded as eligible for selection as the type species of a nominal genus established without cited nominal species, in cases where a subsequent author, without citing such a species, gives a bibliographical reference to a work in which such a species is cited first arose in connection with Dr. L. R. Cox's application for a ruling as to the species to be accepted as the type species of the genus *Trigonia* Bruguière, 1789 (Class Pelecypoda) (Cox, 1951, *Bull. zool. Nomencl.* 6 : 79-84). As the issue so raised involved a question of principle, it fell, under the procedure prescribed in 1948, to be dealt with not by an *Opinion* but by an interpretative *Declaration*. In agreement with Dr. Cox, such a *Declaration* was asked for in a note by the Secretary published at the same time as Dr. Cox's application (Hemming, 1951, *ibid.* 6 : 85-88).

2. Terms of the "Declaration" voted upon by the International Commission : The following is the text of the proposed *Declaration* on which the International Commission on Zoological Nomenclature voted by post in 1952 :—

In the case of a nominal genus established prior to 1st January, 1931, with an indication, definition or description but without citation of any nominal species, the citation by a later author in connection with the name of such a genus of a bibliographical reference to a book or paper containing the names of nominal species is not to be treated as constituting a distinct reference of the nominal species concerned to the genus in question, it being necessary for this purpose for an author explicitly to cite by name a nominal species as being referable to the genus in question.

3. Adoption on 22nd August, 1952 of a "Declaration" clarifying the position as regards the species to be regarded as eligible for selection as the type species of a nominal genus established without cited nominal species : The International Commission adopted on 22nd August, 1952 a *Declaration* on the foregoing subject in the terms of the draft set out in paragraph 2 above. Of the 18 members of the International Commission there voted in favour of the proposed *Declaration* the following 16 Commissioners (arranged in the order in which votes were received) : W. T. Calman ; E. M. Hering ; J. R. Dymond ; B. Hankó ; P. Bonnet ; H. E. Vokes ; J. Pearson ; J. C. Bradley ; A. do Amaral ; F. Hemming ; T. Esaki ; N. D. Riley ; H. Lemche ; N. R. Stoll ; H. Boschma ; A. Cabrera. No Commissioner voted against the proposed *Declaration*. No votes were received from two Commissioners (T. Jaczewski ; R. Mertens).

4. Submission of "Declaration" by the International Commission on Zoological Nomenclature to the Fourteenth International Congress of Zoology : Under the procedure governing the rendering by the International Commission on Zoological Nomenclature of *Declarations* interpreting the *Règles* an interpretation so given becomes operative immediately, but it is the duty of the International Commission to submit a *Declaration* so adopted to the next International Congress of Zoology for final approval. In accordance with the foregoing procedure, the *Declaration* set out in paragraph 2 of the present note adopted by the International Commission on Zoological Nomenclature by 16 votes (2 Commissioners not voting) is hereby submitted to the Fourteenth International Congress of Zoology for final approval.

CASE NO. 40

ARTICLE 30 : PROPOSED AMENDMENT OF THE PROVISIONS RELATING TO THE PROCEDURE TO BE FOLLOWED IN DEALING WITH NOMINAL GENERA BASED, OR ALLEGED TO HAVE BEEN BASED, UPON MISIDENTIFIED TYPE SPECIES

(Commission's reference Z.N.(S.)694)

DOCUMENT 40/1

By **J. CHESTER BRADLEY** (*Cornell University, Ithaca, N.Y., U.S.A.*)

PROPOSAL FOR AN EMENDATION TO THE ACTION IN REGARD TO GENERA BASED UPON MISIDENTIFIED TYPE SPECIES TAKEN AT PARIS AND RECORDED ON PAGE 158 OF VOLUME 4 OF THE "BULLETIN OF ZOOLOGICAL NOMENCLATURE"

The following proposals grow out of the case of *Rasenia* Salfeld published in 1951 (*Bull. zool. Nomencl.* 2: 178-187).

Proposal (a)

The words (*Bull. zool. Nomencl.* 4: 158, Conclusion 38, sub-conclusion (1), lines 3 and 4) "in the absence of evidence to the contrary" seem to negate the entire provision, for no one would suppose that an author had misidentified his material unless there was evidence to that effect. I therefore propose that these words be struck out.

Proposal (b)

I propose that the following words, or their equivalent, be added to the provision in question:—

If an author when founding a new genus specifically states that he is basing the genus on, or interpreting the type-species in the sense of, a particular specimen or figure or description, then the species represented

by that specimen, figure or description becomes not only an originally included species, but also the type-species of the new genus, even though the author incorrectly applies some other specific name to it.

If, in such an instance, the specimen, figure or description concerned actually applies to a species that has never been named, then the author of the new genus shall be construed to have named that species under the homonym that he has applied to it, provided the requirements of Article 25 have been met. If they have not been met, the species concerned has the status of a manuscript species, and as such was not available for designation as type-species of the new genus. In that case the new genus is either one established without included species, or the type-species remains to be selected from among other originally included species.

Discussion : If an author wishes to establish a genus on a particular specimen to which he believes that an old name applies, but nevertheless recognises the possibility that the application of that old specific name might be challenged by other or future taxonomists, he is placed in somewhat of a dilemma. If he applies the old name to his material there is the possibility that at some future date his intent in erecting his new genus may be thwarted (under the present rule). If on the other hand he describes his material under a new name, he is deliberately creating what he believes to be a synonym of an older name, and this most taxonomists are quite properly loth to do. The purpose of the present proposal is to afford a precise procedure in such instances, which will protect the new genus in the sense intended by the author, without making it necessary to appeal each such case to the Commission for special action.

It is clear that in any such case coming under the proposed provision the author should publish in connection with the chosen taxonomic type-species sufficient data to validate it under Article 25, in case it should later prove to be different from the nominal species to which he assigns his material.

I am not completely convinced that the preceding proposal is the best method of handling this situation. The need for some clear procedure is evident, and either these proposals should be adopted or better ones formulated.

DOCUMENT 40/2

By **FRANCIS HEMMING**, C.M.G., C.B.E.

(Secretary to the International Commission on Zoological Nomenclature)

In Proposal (a) in the paper reproduced as Document 40/1 Professor Chester Bradley draws attention to what is undoubtedly a defect in the drafting of the conclusion reached in Paris (1950, *Bull. zool. Nomencl.* 4: 158) in regard to the preliminary assumption to be made as to the identity of a species designated, indicated or selected as the type species of a nominal genus, namely that the nominal species in question has been correctly identified by the original author of the generic name (by whom that nominal species was placed in the genus concerned) and/or by the later author by whom the nominal species in question was selected as the type species of that genus.

2. I entirely agree, therefore, with Professor Bradley that the words "in the absence of evidence to the contrary" should appear in lines 3 and 4 of the printed record of Conclusion 38(1) on page 158 of vol. 4 of the *Bulletin* are inappropriate and should be deleted. Merely to strike out these words would not, however, in my view, be satisfactory, for, although the words now proposed to be deleted were not well chosen, they were inserted with a purpose, namely to impose on sub-conclusion (1) (where the requirement to assume that nominal species referred to a given genus by its original author were correctly identified by him is imposed) the limitation contained in sub-conclusion (2) (where provision is made for dealing with the exceptional class of case where there is, it is claimed by taxonomists, ground for holding that the type species of a given nominal species was misidentified by the author who published the name of that genus). I therefore suggest that at the point where the words quoted above are deleted, there should be inserted the words "subject to the provisions of (2) below".

CASE NO. 41

ARTICLE 30, PROPOSED CLARIFICATION OF RULE (C)

(Commission's reference Z.N.(S.)732)

DOCUMENT 41/1

**DR. ELLSWORTH C. DOUGHERTY'S REQUEST FOR THE CLARIFICATION
IN TWO RESPECTS OF THE RULES IN ARTICLE 30**

By **FRANCIS HEMMING, C.M.G., C.B.E.**

(Secretary to the International Commission on Zoological Nomenclature)

The present application arises out of a paper regarding the species to be accepted as the type species of the nominal genus *Osterooides* Orlov, Davtian & Liubimov, 1933 (Class Nematoda, Order Rhabditida) which has been submitted to the International Commission on Zoological Nomenclature by Dr. Ellsworth C. Dougherty as application No. Z.N.(S.)584, an application which it has not yet been possible to publish in the *Bulletin of Zoological Nomenclature*. The purpose of the present note is not to discuss the individual case submitted by Dr. Dougherty but to draw attention to the two questions of principle raised in that application, on which decisions are required before a decision can be taken on the question of the status of the foregoing generic name and of the species to be accepted as its type species.

2. The two questions of principle requiring answers may be summarised as follows :—

- (1) Is a nominal genus to be treated as having been published as a monotypical genus for the purposes of Rule (c) in Article 30 if, on the first publication of the generic name in question, two or more nominal species are cited as belonging to the genus so named but only one of those nominal species possessed a trivial name validly published with an indication, definition or description ?
- (2) If a nominal genus is established without a designated or indicated type species but is at the same time divided into two or more nominal subgenera and a type species is designated or indicated for the nominotypical subgenus, does that designation or, as the case may be, indication apply also to the nominal genus itself ?

3. During Dr. Dougherty's visit to London in September 1951, we discussed the questions so raised and agreed that on neither was there an explicit provision in the *Règles*, though, as regards each of these questions the provisions in the *Règles* were sufficient to provide a strong presumption as to the interpretation which should be adopted. Clearly, however, what is required in every case such as those now under consideration is an explicit and authoritative interpretation incorporated in the *Règles* themselves. Dr. Dougherty and I accordingly agreed that it was desirable that, concurrently with the publication of his application in regard to the name *Osleroïdes* (Z.N.(S.)584) there should be published a supplementary note setting out, for the consideration of zoologists, the drafts of the *Declarations* proposed to be adopted for the purpose of clearing up the two ambiguities to which Dr. Dougherty had drawn attention in the foregoing application. As regards the content of the proposed *Declarations*, I find myself in full agreement with the views expressed by Dr. Dougherty in his paper on the name *Osleroïdes*.

4. The problem raised in the first of the questions posed (Question (1) in paragraph 2 above) relates to a problem which (as all systematists know from experience) arises frequently in the case of names published before 1st January, 1931, and the answer suggested by Dr. Dougherty, namely that a nominal genus of the type in question should be treated as being monotypical, is that invariably assumed by systematists in respect of names published in the foregoing period. The situation with which we are here concerned would not have had any relevance prior to the Paris Congress of 1948 to a name published after 31st December, 1930, for in that period no generic published without an express type designation possessed any availability; at the Paris Congress this provision was relaxed with retrospective effect (1950, *Bull. zool. Nomencl.* 4: 153). Accordingly, in this respect Rule (c) in Article 30, as applied to names published after 31st December, 1930, was put back into its pre-1931 position by the Paris Congress. The question on which an answer is now sought is therefore one in respect of all generic names irrespective of their date of publication.

5. The problem raised by the second of the two questions posed (Question (2) in paragraph 2 above) is one which is probably rare, but nevertheless an answer to it is required in order to determine the position of those names, such as *Osleroïdes*, for which it is, in the absence of an authoritative ruling, impossible to determine with certainty, the species to be accepted as the type species of the genus concerned. The course recommended by Dr. Dougherty is that any action taken under Article 30 for the designation (Rule (a)) or indication (Rule (c)) of the type species of the nominotypical subgenus of a nominal genus is to be treated as constituting also action taken in relation to the type species of the nominal genus itself.

6. At the time when Dr. Dougherty and I discussed this matter, it was hoped that it would be possible to publish the application relating to the name

Osleroides with an accompanying note raising the two questions discussed above in sufficient time to enable the International Commission to publish a *Declaration* on these questions for submission to the Fourteenth International Congress of Zoology at Copenhagen in 1953. For various reasons Dr. Dougherty found it necessary to revise part of his application relating to the name *Osleroides*, and by the time (March, 1952) that the text of that application had been finally settled, it was too late, having regard to other prior commitments, to publish it in sufficient time to enable the Commission to render and publish a *Declaration* on the questions discussed in this note before the Copenhagen Congress. The application relating to the name *Osleroides* will be published as soon as possible in the *Bulletin* but it has been judged desirable, in advance of the publication of that paper, to publish the present note in order to obtain decisions at Copenhagen on the two minor questions of principle involved.

7. Suggestions submitted for consideration : I accordingly now submit for consideration the following suggestions which were drawn up together by Dr. Dougherty and myself in September, 1951, when (as already explained) it was contemplated that the two questions involved should, in the first instance, be submitted to the International Commission on Zoological Nomenclature for action under the *Declarations* procedure.

Proposition 1

A nominal genus is to be treated as having been published with only one included nominal species and therefore as subject to Rule (c) in Article 30 (type species indicated by monotypy), where more than one nominal species was so cited, provided that one only of those nominal species possessed a trivial name validly published with an indication. Accordingly, the citation of unpublished manuscript names and/or of previously published *nomina nuda* is to be ignored in determining the number of nominal species originally included in any given nominal genus.

Proposition 2

Where an author, when establishing a nominal genus, omits to designate a type species for that genus but at the same time divides that nominal genus into two or more subgenera and either designates or indicates a type species for the nominotypical subgenus, that designation or, as the case may be, indication is to be treated as applying to the nominal genus itself as well as to its nominotypical subgenus.

CASE No. 42

ARTICLE 30, RULE (F) (RULE RELATING TO THE TYPE SPECIES OF A NOMINAL GENUS, THE NAME OF WHICH IS PUBLISHED TO REPLACE AN EARLIER NAME) : PROPOSED INTRODUCTION OF WORDS TO MAKE IT CLEAR THAT THIS RULE APPLIES ONLY WHERE A NAME IS EXPRESSLY PUBLISHED AS A SUBSTITUTE FOR ANOTHER NAME

(Commission's reference Z.N.(S.) 539)

DOCUMENT 42/1

By FRANCIS HEMMING, C.M.G., C.B.E.

(*Secretary to the International Commission on Zoological Nomenclature*)

REPORT ON THE ADOPTION OF A " DECLARATION " MAKING IT CLEAR THAT RULE (F) IN ARTICLE 30 APPLIES ONLY TO CASES WHERE ONE GENERIC NAME IS EXPRESSLY PUBLISHED AS A SUBSTITUTE FOR ANOTHER

The question whether, in order to come within the scope of Rule (f) in Article 30 the generic name in question must have been expressly published as a substitute name first came to notice in connection with an application relating to the type species of the genus *Fulgora* Linnaeus, 1767 (Class Insecta, Order Hemiptera) submitted by Mr. R. G. Fennah (*Imperial College of Tropical Agriculture, Trinidad*) (1951, *Bull. zool. Nomencl.* 2 : 34-44). As the issue so raised involved a question of principle, it fell, under the procedure prescribed in 1948, to be dealt with not by an *Opinion* but by a *Declaration*. A request for such a *Declaration* was accordingly made in a note by the Secretary published at the same time as Mr. Fennah's application (Hemming, 1951, *Bull. zool. Nomencl.* 6 : 45-48). Support for such a *Declaration* was received from Dr. Ernst Mayr (*American Museum of Natural History, New York*) 1952, *ibid.* 6 : 244 and from Dr. Ellsworth C. Dougherty (*University of California, Berkeley, California, U.S.A.*).

2. Terms of the " Declaration " voted upon by the International Commission : The following is the text of the proposed *Declaration* on which

the International Commission on Zoological Nomenclature voted by post in 1952 :—

Rule (f) in Article 30 is to be interpreted (a) as though the words “ expressly published ” were inserted after the word “ is ” in place of the word “ proposed ”, and (b) as though the words “ some specified generic name of older date ” were substituted for the words “ another generic name ”. It is recommended that the foregoing changes be made in Rule (f) in Article 30 by the next International Congress of Zoology.

3. Adoption on 15th August, 1952, of a “ Declaration ” making it clear that Rule (f) in Article 30 applies only to cases where a generic name is expressly published as a substitute name : The International Commission adopted on 15th August, 1952, a *Declaration* on the foregoing subject in the terms of the draft set out in paragraph 2 above. Of the 18 members of the International Commission there voted in favour of the proposed *Declaration* the following 16 Commissioners (arranged in the order in which votes were received) : N. D. Riley ; E. M. Hering ; W. T. Calman ; J. R. Dymond ; B. Hankó ; P. Bonnet ; H. E. Vokes ; A. de Amaral ; J. Pearson ; J. C. Bradley ; F. Hemming ; T. Esaki ; H. Lemche ; A. Cabrera ; N. R. Stoll ; H. Boschma. No Commissioner voted against the proposed *Declaration*. No votes were received from two Commissioners (T. Jaczewski ; R. Mertens).

4. Submission of “ Declaration ” by the International Commission on Zoological Nomenclature to the Fourteenth International Congress of Zoology : Under the procedure governing the rendering by the International Commission on Zoological Nomenclature of *Declarations* interpreting the *Règles*, an interpretation so given becomes operative immediately, but it is the duty of the International Commission to submit a *Declaration* so adopted to the next International Congress of Zoology for final approval. In accordance with the foregoing procedure, the *Declaration* set out in paragraph 2 of the present note adopted by the International Commission on Zoological Nomenclature by 16 votes (two Commissioners not voting) is hereby submitted to the Fourteenth International Congress of Zoology for final approval.

CASE No. 43

**ARTICLE 30, RULE (F) : PROPOSED CLARIFICATION OF THE POSITION
AS REGARDS THE NOMINAL SPECIES ELIGIBLE TO BE THE TYPE
SPECIES OF TWO NOMINAL GENERA, OF WHICH THE NAME OF ONE
WAS PUBLISHED AS A SUBSTITUTE FOR THE OTHER**

(Commission's reference Z.N.(S.)511)

DOCUMENT 43/1

By **ELLSWORTH C. DOUGHERTY**, Ph.D., M.D.*

(*Department of Zoology, University of California, Berkeley, California, U.S.A.*)

(Enclosure to a letter dated 5th July, 1951)

**SUGGESTED EMENDATION OF ARTICLE 30, RULE (F) (RULE RELATING
TO THE TYPE SPECIES OF TWO NOMINAL, OF WHICH ONE NAME IS
PUBLISHED AS A SUBSTITUTE FOR AN EARLIER NAME)**

In a recent paper (Dougherty, 1951, *Bull. zool. Nomencl.* 2: 253-276), I pointed out (Section 4 (b)) that Article 30, Rule (f) has certain difficulties of application that the International Commission on Zoological Nomenclature does not appear to have recognised up to now. However, I did not specify what these were. It is the purpose of the present communication to enunciate the difficulties in question, and to recommend an emendation of Rule (f), so that they may be overcome.

2. In preliminary communication with Mr. Francis Hemming, Secretary to the International Commission, I received, through the kindness of Mr. Hemming, the text of a note proposing a certain clarification of Rule (f) (Hemming, 1951, *Bull. zool. Nomencl.* 6: 37-44 ϕ). I am in entire agreement with his recommendation. It does not, however, touch on the point with which I am concerned, and the present case may therefore be regarded as supplemental to his.

*Research Fellow of the American Cancer Society as recommended by the Committee of the National Research Council, 1949-52.

ϕ See Case No. 42.

3. Article 30, Rule (f), reads : " in case a generic name [= nominal genus] without originally designated type is proposed as a substitute for another generic name [= nominal genus], with or without type, the type of either, when established, becomes *ipso facto* type of the other ".

4. The crux of the problem is that, while Article 30, Rule (e) α , states that the " species which were not included under the generic name at the time of its original publication " are " excluded from consideration in determining the types of genera," Article 30, Rule (f), ostensibly provides a way in which this provision can be violated. Mr. Hemming has recommended clarification of the meaning of " proposed " in Rule (f) ; but, even if his recommendation is adopted, the following situation can arise. Let us suppose that an author Jones erected a genus A — with species A — x — and A — y — without designation of type. Later, Smith proposed genus B as a " substitute " for A — (in the strict sense that Mr. Hemming suggests) and included species B — z — and B — w — along with Jones's species. Now let us suppose either that Jones selected B — z — as type of B, or that he designated no type and that the first reviser, Brown, subsequently selected B — z — as type of B —. In either case, according to Article 30, Rule (f), B — z — "*ipso facto*" would become type of A —, *despite the fact that this was not an originally included species in A*. It seems to me that this is a situation that the framers of the *Règles* did not anticipate and would not have intended should arise.

5. *Opinions* 9, 35, and 148 involve the application of Article 30, Rule (f) but do not consider the problem posed in paragraph 4. Of these, only *Opinion* 9, explicitly refers to rule (f). This *Opinion* has been cancelled on the grounds that it gave no effective decision (see 1950, *Bull. zool. Nomencl.* 4: 335). *Opinion* 35 has been cancelled, except for historical purposes, and its decision amended and incorporated into the *Règles* (see 1950, *Bull. zool. Nomencl.* 4: 66, 155–156, 166) ; *Opinion* 148 has been similarly treated (see 1950, *Bull. zool. Nomencl.* 4: 147–148, 163, 164, 166). There appears to be no essential value in analysing these *Opinions* here.

6. I hereby recommend that, in order to bring Rule (f) into conformity with Rule (e) α and with the rest of Article 30 generally, Rule (f) be recast making it clear that the only species which can be the type species of what we may call a " substitute " genus (in Mr. Hemming's sense) is (1) the nominal species that is already the valid type species (by designation, indication, or selection) of the genus renamed, or (2) the nominal species designated, indicated, or selected for the substitute nominal genus, where the earlier nominal genus does not have a type species at the time the type for the substitute genus is so fixed and provided (and provided only) that the species so designated, indicated, or selected is one of the nominal species originally cited by the author of the earlier genus as belonging to that genus. (In other words, in the example given in paragraph 4, Jones or Brown must confine their choice of type of B to A — x — and A — y —, the only species originally included by Jones in A, the genus for which B was proposed by Smith as a " substitute "

genus. In foregoing case (2) the species in question "*ipso facto*" also becomes type of the earlier genus. Where any other species is designated, indicated, or selected for such a "substitute" genus, the choice so made is invalid.

7. The International Commission is hereby petitioned to recommend the foregoing change in Article 30, Rule (f), to the next (Fourteenth) International Congress of Zoology.

8. The attention of the International Commission is also drawn to the fact that Rule (f) has implications for the problem of generic names first published in generic synonymies. The question as to how type species should be selected for nominal genera bearing such names is at present *sub judice* and the Secretary to the International Commission is to make a report on the subject to the next (Fourteenth) International Congress of Zoology (see 1950, *Bull. zool. Nomencl.* 4: 351-352). If it were to be decided that a generic name cited in a generic synonymy should be construed as a "substitute" for the earlier generic name in the sense of Rule (f), then such generic names could come under Article 30, Rule (f). It would seem to me that this would provide a reasonable solution to the problem now *sub judice*.

DOCUMENT 43/2

By FRANCIS HEMMING, C.M.G., C.B.E.

(Secretary to the International Commission on Zoological Nomenclature)

SUPPORT FOR Dr. ELLSWORTH C. DOUGHERTY'S PROPOSAL FOR THE CLARIFYING OF THE POSITION AS TO THE NOMINAL SPECIES ELIGIBLE TO BE THE TYPE SPECIES OF NOMINAL GENERA UNDER RULE (F) IN ARTICLE 30, TOGETHER WITH A SUPPLEMENTARY PROPOSAL IN REGARD THERETO

I am in full agreement with Dr. Ellsworth C. Dougherty's proposal that words should be inserted in the *Règles* to make it clear what are the nominal species which are eligible, under Rule (f) in Article 30, to become the type species of any pair of nominal genera, of which the name of one is published as a substitute for that of the other. I should like, moreover, to take this opportunity of drawing attention to a decision taken in Paris in 1948 which, as I now think, was misconceived, and which will need to be revoked in any decision now to be taken to give effect to Dr. Dougherty's proposal.

2. The important question of the species which are to be regarded as having been originally included in any given nominal genus—a question on

which the *Règles* had previously been silent—formed the subject of a decision in Paris which may be summarised by saying that the species in question are : (1) every nominal species cited under the genus by the author of the generic name (excluding, naturally, nominal species, the names of which had not been validly published or which did not satisfy the Provisos to Article 25), and (2) every nominal species, the name of which was cited as a synonym of any of the nominal species referred to in (1) above (see, 1950, *Bull. zool. Nomencl.* 4: 179–180, Conclusion 69 (3) (a)).

3. The Commission's *Opinion* 35—adopted at a time when it was considered that names published by authors who did not apply the principles of binominal nomenclature (i.e., authors who at that time were called “binary” authors) interpreted Rule (f) in Article 30 in such a way that a species not cited under a binominal name would be eligible to become the type species of a nominal genus. It was recognised in Paris that *Opinion* 35 was not consistent with the decision then taken that names were not to be accepted as possessing status under the Law of Priority unless in the book in which they were published the author concerned applied the principles of binominal nomenclature, and on this account certain drafting amendments were then made in the wording of that *Opinion* (see 1950, *Bull. zool. Nomencl.* 4: 66, Conclusion (3) (d)). Unfortunately, however, the fact that part of the actual ruling in *Opinion* 35 required amendment on the same grounds was overlooked when later the stage came to codify the decisions given in *Opinions* rendered up to 1948. In consequence, the following words found their way into the end of the decision then reached: “and that for this purpose it is not necessary that the species so selected should have been cited under a binominal name when originally cited either in the original genus or in the genus established in substitution therefor”.

4. I accordingly suggest that, as part of the decision giving effect to the proposal made by Dr. Dougherty in Document 43/1, it should be decided also to amend the decision quoted in paragraph 3 above by revoking the words quoted in the last sentence.

CASE No. 44

ARTICLE 30, RULE (G) : PROPOSED INSERTION OF WORDS TO MAKE IT CLEAR THAT THE SELECTION OF A GIVEN STRUCTURE EXHIBITED BY A SPECIMEN REFERRED TO A SPECIFIED NOMINAL SPECIES AS TYPICAL OF A GIVEN NOMINAL GENUS DOES NOT CONSTITUTE THE SELECTION OF THAT SPECIES AS THE TYPE SPECIES OF THAT GENUS

(Commission's reference Z.N.(S.)735)

DOCUMENT 44/1

By FRANCIS HEMMING, C.M.G., C.B.E.

(Secretary to the International Commission on Zoological Nomenclature)

PROPOSED CLARIFICATION OF AN OBSCURITY IN RULE (G)
IN ARTICLE 30

The subject matter of the present note came to light after the publication of Professor Harold E. Vokes' application in regard to the type species of the genus *Mytilus* Linnaeus, 1758 (Class Pelecypoda) (1951, *Bull. zool. Nomencl.* 2 : 31-32) and raises a question of principle which, at Professor Vokes' request, I now submit for decision.

2. The point may best be illustrated by citing the following particulars from the *Mytilus* case. This nominal genus was established by Linnaeus in 1758 with no type species; among the included species were *M. anatinus* Linnaeus and *M. edulis* Linnaeus. The second of these species was selected as the type species of this genus by Anton (1839) and that selection has formed the basis of the concept of this genus by later authors. In 1817, however, Schumacher cited a "figure of the hinge of" *Anodonta anatina* (= *Mytilus anatinus* Linnaeus) as the type of the genus *Mytilus* Linnaeus. This selection, if accepted would have completely altered the concept represented by the generic name *Mytilus*, and it was to prevent the confusion resulting from this transfer that Professor Vokes in his application asked the International Commission to use its plenary powers to designate *M. edulis* Linnaeus as the type species of the genus *Mytilus*.

3. In a letter dated 22nd June, 1951 (1951, *Bull. zool. Nomencl.* 2: 339), Mr. Joshua L. Baily, Jr. (*San Diego, California, U.S.A.*) drew attention to the fact that Professor Vokes' application relating to the name *Mytilus* Linnaeus, 1758, was not the first occasion on which action taken by Schumacher (1817) in connection with the type species of genera had come before the International Commission, for a problem exactly similar to that raised in regard to the name *Mytilus* had arisen in the case of the type species of the genus *Arca* Linnaeus, 1758, which had been dealt with by the Commission in 1945 in its *Opinion* 189 (*Ops. Decls. int. Comm. zool. Nomencl.* 3: 93-108). In that case also Schumacher had taken a morphological part (la charnière) of a specimen referred to a specified nominal species (*Arca antiquata* Linnaeus) as the "type du genre". In the discussion on this case the view was expressed (:101) that Schumacher's action did not comply with the requirement in Rule (g) in Article 30 that the expression "select the type" is to be "rigidly construed" and attention was drawn to a comment by the late Dr. W. T. Calman (in a letter dated 12th February, 1943) that on the occasion in question Schumacher was clearly using the words "type" as the equivalent of "typical species" in the morphological or taxonomic sense, i.e., that he was doing no more than observe that *A. antiquata* Linnaeus was the species in which the characters of the genus were most fully developed or clearly shown. It was argued, therefore, that Schumacher's action did not constitute the selection of *Arca antiquata* Linnaeus as the type species of the genus *Arca* Linnaeus. No express decision was taken in *Opinion* 189 on the question of the validity of Schumacher's action in relation to Rule (g) in Article 30, for his was not the only type selection (or alleged type selection) for the genus *Arca* made prior to the selection by Gray (J. E.) in 1847 of *Arca noae* Linnaeus, 1758, the species which it was the object of the applicant to secure as the legally valid type species of this genus. Accordingly, in granting this application, the Commission did no more than set aside under its plenary powers all type designations for the genus *Arca* Linnaeus made prior to the decision which it then took to designate *Arca noae* Linnaeus as the type species.

4. Thus, the status under Article 30 of the action of Schumacher (and any other author who may have acted in like manner) in stating that a specified structure exhibited by a given specimen referred to a given nominal species was the type of a given genus remained unsettled, although it had arisen directly during the consideration of *Opinion* 189. This could not have happened if in the year 1945 the revised procedure adopted in Paris had been in operation, for under that procedure the Commission was instructed in future to deal with all problems arising in connection with cases submitted to it (1950, *Bull. zool. Nomencl.* 4: 355), and, where an application raised an issue of principle to deal with it in an interpretative *Declaration* and not in the body of the *Opinion* devoted to the individual case concerned (1950, *ibid.* 4: 137). At Paris an attempt was made to deal with—by incorporation into the *Règles* or otherwise—all questions of principle which had arisen in connection with *Opinions* already rendered by the Commission, but it was realised that, although a careful search of the *Opinions* had been made from this point of view, it was likely that some problems of a general character had been overlooked; accordingly an appeal

was made to zoologists to bring to the attention of the Commission any cases of this sort which they might detect (1950, *ibid.* 4: 136, Conclusion 9 (1) (c)). The present application by Professor Vokes and myself is accordingly made in response to the foregoing invitation.

5. Immediately upon its receipt, I communicated Mr. Baily's note to Professor Vokes who, in replying (on 30th July, 1951) expressed the view that the proper course would be to ask the Commission to render a *Declaration* in general terms which would make it clear that action such as that taken by Schumacher in 1817 (in relation to the nominal genera *Mytilus* Linnaeus and *Arca* Linnaeus) did not constitute a valid type selection under Rule (g) in Article 30. The proposal which we now submit is, therefore, that words should be added to Rule (g) in Article 30 to the following effect; "Where an author specifies a particular structure exhibited by a specimen referred to a specified nominal species as the type of a given nominal genus, that action does not constitute a selection, as the type species of the genus concerned, of the nominal species to which the specimen in question was so referred".

CASE No. 45

ARTICLE 30 : PROPOSED REPEAL OF THE PORTION OF RULE (G)
ARISING FROM THE INTERPRETATION IN " OPINION " 6

(Commission's reference Z.N.(S.)504)

DOCUMENT 45/1

By **WILLIAM GOSLINE** (*University of Hawaii, Honolulu, Hawaii*)

Extract from a letter, dated 21st November, 1950

I have another suggestion for the simplification of the revised Rules. That is that subsequent generic restriction be eliminated as a factor in the subsequent designation of certain genotypes; in short that *Opinion* 6 and possibly others that I have missed be eliminated.

If *Opinion* 6 is maintained, I become involved in the following type of problem.

Ophisurus was described by Lacépède (1800, vol. 2, p. 195) with two included species, *O. ophis* (Linnaeus) and *O. serpens* (Linnaeus). No type was designated.

In 1810 Rafinesque described the genus and species *Oxystomus hyalinus*. This species is said to be a synonym of *Ophisurus serpens* of Lacépède. Does this constitute fixation of the genotype of *Ophisurus* as *Ophisurus ophis* under *Opinion* 6? If not, then Risso (1826), Swainson (1838), and Kaup (1856) have also tried to restrict the genus *Ophisurus* to one of Lacépède's species or the other. But whether any of these authors can be said to have met the exact requirements of *Opinion* 6 is doubtful. Finally Bleeker (1846) designated a genotype.

Now, the questions in my mind are two: (1) how strictly is *Opinion* 6 to be interpreted, and (2) why would it not be better to eliminate *Opinion* 6 and the problems it raises? As to the second question, I feel that, for certain genotypes, *Opinion* 6 brings in a lot of extraneous factors for consideration that improve nothing and merely complicate matters. As you have pointed out,

people have interpreted *Opinion 6* as applying to genera with more than two originally included species. If this was not the intention of the Commissioners, then why *Opinion 6*? The special case they take up there is certainly not worth forming an exception for in itself. I am inclined to feel that instead of interpreting *Opinion 6* as a special case as you have done, it would be better to discard this *Opinion* completely. (Any changes of genotype that would be caused by the elimination of *Opinion 6* at this late date could be taken care of by the Plenary powers of the Commission.)

DOCUMENT 45/2

Proposal by **J. CHESTER BRADLEY** (*Cornell University, Ithaca, N. Y., U.S.A.*)

Note by the Secretary : Attention is drawn to the fact that in a paper which was primarily concerned with the question of Article 31 and which has therefore been included in the Series of papers dealing with that subject, in which it appears as Document 46/1, Professor J. Chester Bradley has also proposed that the Ruling on the interpretation in Rule (g) in Article 30 introduced by the Commission's *Opinion 6* should be repealed.

2. *Opinion 6* itself has already been repealed, except for historical purposes (1950, *Bull. zool. Nomencl.* 4 : 165-166), the substance of the ruling given it having been incorporated into the *Règles* in 1948 (1950, *ibid.* 4 : 157, Conclusion 36). The action which would be required to give effect to the proposal submitted by Dr. Gosline would, therefore, be the repeal of Conclusion 36 of the Sixth Meeting of the International Commission during its Paris Session, as subsequently approved by the Thirteenth International Congress of Zoology. (Int'l'd.) F. H., 15th June, 1953.

CASE No. 46

**ARTICLE 31 : PROPOSED AMENDMENT OF PROVISIONS RELATING TO
NOMINAL SPECIES SUBJECTIVELY REGARDED BY TAXONOMISTS AS
COMPOSITE SPECIES**

(Commission's reference Z.N.(S.)698)

DOCUMENT 46/1

By **J. CHESTER BRADLEY** (*Cornell University, Ithaca, N.Y., U.S.A.*)

ARTICLE 31, AS AMENDED IN 1948

Proposal received on 26th July, 1952

An objectionable feature of the old Article 31 has been carried through into the amended Article. It is a reference to a " composite species " and to the " division of a species ". These unfortunate phrases can give rise or misapprehension, and to illogical concepts.

At Paris we defined " specific name " and we defined " subspecies ". The latter definition applies only to a taxonomic concept of a subspecies. We did not define a species. We could define a nominal species or subspecies (strictly for the purposes of nomenclature) in the following manner :

A nominal species (or subspecies) is objectively the type specimen (holotype, lectotype, or neotype) which determines the application of the trivial name originally applied to it, plus subjectively all other individual organisms that any given author considers are conspecific (or consubspecific).

A taxonomic species or subspecies (from the standpoint of nomenclature*) consists objectively of a nominal species that, in the view of any given author, has no senior synonym, plus, subjectively, all those nominal species or subspecies that are, in his view junior synonyms of it.

Under these definitions the type, the nucleus, the definitive feature of every species, nominal or taxonomic, is objectively established, but the contents, the limits that it embraces are purely subjective and subject to constant fluctuation.

*These will not serve as biological definitions, which would involve a population centering around a norm that may be very different from the type specimen.

There can be no such thing as an objective composite species. The objective nominal species is the type above. The type plus the other specimens that the founder of a species included in it *were* the species, subjectively, to him, and come completely within the above definitions, either as a nominal or a taxonomic species. To him it was *not* composite. It only becomes subjectively composite in the view of some later author when and if that author decides that some originally included specimens are not truly co-specific.

What Article 31 really means to say then, is that in case, after a species is founded, some subsequent author subjectively considers that one or more of the specimens originally subjectively associated with the objective nominal species (*i.e.*, the holotype) were incorrectly included in the species, he is to act under certain principles in removing them.

The question then arises : Suppose that when the species in question was established, no holotype was selected, could it not then have been composite, since the syntypes were on equal footing ? Or if it was established on the basis of figures, was it not composite if those figures depicted different species ?

The answer is "No." The species theoretically only had objective existence from the moment that it acquired a type and hence became objectively definable. If it had a holotype from the outset, well and good ; if not, it was defective, capable only of subjective interpretation until it acquired a lectotype or shall acquire a neotype.

When a lectotype (or neotype) is finally established, its significance is projected backward to the date when the species was established. It becomes the objective definitive factor as from the beginning, and any *ad interim* subjective interpretations that do not conform must be quashed. Otherwise as a type it would either be without meaning, or we should have to revise the Law of Priority by providing that a species dates from the time when it is given a definitive factor, *i.e.*, a holotype. That we could not do—yet it probably would be a wise requirement for the future.

How does all this actually affect the provisions of Article 31 ?

Let us assume a species "z" based on five original specimens, "a", "b", "c", "d", and "e". No holotype having been designated, each of these five have equal value as syntypes, but no one has definitive value. The species at that time is not capable of objective interpretation. Author No. 2 observes that specimens "d" and "e" are not specifically identical with "a", "b" and "c" and erects for them species "x". He has in effect divided the subjective species "z", which author No. 1 did not consider to be composite, into two species because he, subjectively, considers that it was composite. (Note that whether or not it was composite is purely subjective, hence a matter of taxonomic judgement, and therefore not an appropriate condition to include

in Article 31.) We now have :

- | | |
|----------------------|--|
| Opinion of author 1. | Species z comprises specimens a, b, c, d, e. |
| Opinion of author 2. | Species z comprises specimens a, b and c. |
| | Species x comprises specimens d and e. |

When author No. 3 wishes to give species z objective reality by establishing a lectotype for it, he is confronted with the question as to whether he is restricted in his choice to specimens "a", "b", and "c". In other words, is he to apply in selecting the type-specimen the principle of elimination which has been discarded from practice in selecting type species of genera? It is clear that the revision made in 1948 in Conclusion 11(2) of the Commission's Fourth Meeting (see 1950, *Bull. zool. Nomencl.* 4: 74-76) does not contemplate such restriction. He is free to choose a lectotype from any of the five original specimens.

There was very good reason for this: The original wording, even of very ancient descriptions, often was clearly based on a particular specimen identifiable by some individual characteristic, such as a peculiar arrangement of spotting, a broken part, or something else. Furthermore other specimens may be definitely excluded by referring to them as variants, or varieties, or in some other manner. In the example that we have been considering, let us suppose either that "a", "b" and "c" are in this manner definitely excluded as being any one of them the specimen on which the species was based, or that specimen "e" is the only specimen that the original description could have applied to. In either case it would be wrong to exclude "d" and "e" from becoming lectotypes, or to require that the lectotype be chosen from "a", "b", or "c".

To that extent the action taken at Paris in 1948 was logical and correct, but we went one step further and in doing so clearly stumbled. The ruling adopted by the Commission in its ruling (2) (e) in its Conclusion 11 (see 1950, *Bull. zool. Nomencl.* 4: 76) provides, in effect, that if there are only two original specimens the selection of either as holotype of a new species automatically establishes the other as lectotype of the first. For precisely the reasons given above this is an improper regulation and should be rescinded. It could very easily result in forcing the lectotype to be a specimen that the author clearly excluded as being the specimen on which his species was based.*

In effect then, I would think that Article 31 (as applied to species) would be improved if it were to accord with the following :

*This provision was doubtless introduced on analogy with the principle applied to type-species of genera by the old *Opinion* 6. However, the cases are different, since in one case it is an individual specimen, in the other a species that is in concern. Furthermore, *Opinion* 6 seems to have been an unnecessary and unfortunate decision. It re-introduced to its limited extent the thoroughly discredited principle of type selection by elimination, and is equally open to the objection that the latter of two species remaining in the genus is apt to be there because it was unrecognisable, or at least the most poorly known. I would think the provision might well be rescinded, with the exception that no decisions that have already been made based on it should be disturbed.

- (a) When a nominal but subjectively defined species is subjectively considered by any author to include specimens of more than one taxonomic species among its syntypes, he is at liberty (a) in the first place to establish the species on an objective basis by selecting for it a lectotype, or under appropriate circumstances a neotype, and (b) in the second place to remove any or all of the other specimens previously constituting syntypes to other species, whether previously established or previously unknown. In the latter case they may, where desirable, become holotypes or paratypes of their respective species.
- (b) When a nominal species is originally objectively defined, that is to say provided with a holotype, any other specimens, even though designated as paratypes, are only subjectively associated with that nominal species. It is open to any subsequent author who subjectively considers that the original author erred in subjectively associating them or any of them, specifically with the holotype to remove them, or any of them, to other species, and if need be to make them types of new species.

It goes without saying that the original trivial name is defined by the lectotype or holotype as the case may be.

CASE No. 47

**ARTICLE 31 : PROPOSED REFINEMENT OF PROVISIONS RELATING
TO LECTOTYPES**

(Commission's reference Z.N.(S.)699)

DOCUMENT 47/1

By **J. CHESTER BRADLEY** (*Cornell University, Ithaca, N.Y., U.S.A.*)

**LECTOTYPES : A PARAGRAPH IN THE "RÈGLES" THAT NEEDS
SOME QUALIFICATION**

Proposal received on 26th July, 1952

In 1948 it was decided (see 1950, *Bull. zool. Nomencl.* 4 : 76, Conclusion 11(2) (d)), in effect, that, where a nominal species is based upon only two (2) syntypes and there has been no published lectotype selection, the establishing of either specimen as the holotype of another nominal species is automatically to be construed as fixing the other specimen as the type—the word used should have been "lectotype" of the first nominal species.

Suppose specimens "a" and "b" are of species "albus". Syntype "a" agrees with the description, syntype "b" does not. If the later author makes syntype "a" type of his new species, "arcticus," then it would be improper to re-interpret the original species "albus" by making "b" its lectotype. In such case the second species "arcticus" should become an objective synonym of the first "albus". The case is still stronger if the original describer clearly described or referred to syntype "b" as a varient or variety.

Would it not be better to modify the regulation by terminating it as follows : "This act shall be construed as presumptive fixation of the other specimen as the lectotype of the first nominal species. It shall nevertheless be open to a subsequent author to establish the one specimen not only as holotype of the second species but also as lectotype of the first in case he discovers that the other specimen was referred to by the original author as a variety or variant, or definitely excluded from having been the actual type by wording of the description, including such subordinate data as locality, collector, date, or location of the specimen, while at the same time the holotype of the later species is not so excluded".

It would be obviously improper, if two taxonomic species are involved in the two syntypes, for the name to be transferred to the one that the original author specifically excluded by referring to it as a variant. If, without in so many words selecting either as holotype, the author stated "This species was collected at "X" by Mr. "B" on such and such a day and is in the collection of the "Z" institute; I have also seen a specimen collected at "Y" in the "W" Museum then it would be equally improper and contrary to fact for an action of a later author to be construed as making the specimen in "W" Museum the lectotype.

Finality of selection of a lectotype. Shall the selection of a lectotype hold, regardless of all considerations? Is it not necessary to add a provision on this matter?

Would it not be wise to provide that no selection of a lectotype shall be valid, if it is proven that the specimen so selected was definitely rejected by the original author as not being typical (*i.e.*, was referred to as a variant or variety) or if it definitely disagrees with the description, while other syntypes do agree with it, or was clearly excluded from consideration by the original author (as, *ex. gr.*, by some such specification of data as suggested in the second paragraph preceding), or if it is proven that the supposed lectotype was not an original syntype?

Perhaps also a provision should be added to the effect that, except on the grounds of such false selection as I have above described, when an author has both published the fact that he has selected a lectotype, with statement as to where it is located, and described the specimen and its labelling in such manner that it can be positively recognised by other workers, that neither he nor any other author is at liberty subsequently to change its status. Provision to empower the Commission to review the question and decide, would care for the occasional case where a serious blunder has been made, the effects of which would be upsetting to stability.

DOCUMENT 47/2

By **RICHARD MEINERTZHAGEN**, D.S.O. (*London*)

Extract from a letter dated 16th June, 1952

What about that abominable practice, especially favoured by Mathews and often used by Linnaeus, of making a coloured plate (I refer only to Aves) the type. Plates seldom reflect accurate colours and with age, fade or "fox". Moreover in the same edition of a book, the tint of a colour often varies. I should insist on a specimen (in Aves) being the type. I believe the International Commission on Zoological Nomenclature do not recognise plates as types; but in insects—*e.g.*, Mallophaga, an accurate drawing is often more important than the written description.

It was most unfortunate that Linnaeus lived at Uppsala, which is a district intermediate between the north European and central European races of several birds. Both the Finnish and West European races of the Magpie occur at Uppsala and Linnaeus' description fits both; the same with the starling. This is a clear case where a neotype is desirable. In such cases full reason for making a neotype should be given. There is a danger of a man like "B" going through some old literature on birds from some particular area and, where no types exist, making a hundred neotypes and placing them in the local museum.

CASE No. 48**ARTICLE 31 : SUGGESTED DRAFTING AMENDMENTS**

(Commission's reference Z.N.(S.)743)

DOCUMENT 48/1

By **J. CHESTER BRADLEY** (*Cornell University, Ithaca, N.Y., U.S.A.*)

PROPOSED AMENDMENT OF ARTICLE 31

Proposal received on 5th August, 1952

I propose that the several parts of Article 31 (see 1950, *Bull. zool. Nomencl.* 4 : 74-76, Conclusion 11 ; *ibid.* 4 : 152, Conclusion 26) be revoked, the following provisions being inserted in their place.

(1) Sub-section (a) on page 74 to be cancelled and replaced with the following provisions :—

- (a) A nominal species based on syntypes or without types is subjectively defined.
- (b) A nominal species cannot be objectively defined until and unless it possesses a holotype, lectotype or neotype and then exclusively by the characters of such type.
- (c) When a species originally possesses a holotype, or subsequently a lectotype, any other specimens, even though designated paratypes, are only subjectively associated with it.
- (d) Any author is at liberty to establish a subjective nominal species on an objective basis by selecting a lectotype for it.
- (e) Any author who subjectively considers that the holotype and paratypes or the syntypes of a nominal species comprise more than one taxonomic species is at liberty to remove any of them, except the holotype, lectotype or neotype to other species. If such species are undescribed they may become its types.
- (f) In cases where no type material exists, but the original description, or illustration, or accepted tradition (as, ex. gr., in the case of the

human species) sufficiently satisfy all taxonomists to the extent that they require no more objective definition, the case may rest undisturbed.

(2) Sub-section (b) on page 75 to be cancelled and replaced with the following provisions :—

Holotype and lectotype shall be determined according to the following rules :

- (i) If the species when described was stated to be or is known to have been based upon a single specimen, that specimen is the holotype.
 - (ii) If the author when describing the species designated one and only one specimen to be " the type " or its equivalent that specimen is the holotype. If, in default of publishing such a designation, he is known to have labelled one and only one specimen as "type" or its equivalent that specimen is the holotype.
 - (iii) If no holotype was originally indicated under rules (i) and (ii) above, the type specimens are all " syntypes " (see definition) whether so labelled, or labelled " cotypes ", or " types ", or otherwise or not labelled, but excluding all specimens originally referred to as variants, varieties, or doubtfully included, or deliberately omitted from inclusion among the types, even though recorded in the original publication.
 - (iv) When there was no holotype, any author may select any one of the syntypes to be the lectotype, provided that syntype does not disagree with the original description in some point with which another syntype does agree, and is not one clearly excluded by the original author by reason of sex, form, stage, locality, date of capture, or in any other way.
 - (v) When an author thus selects a lectotype and publishes his selection, stating where it is located and by what labelling and individual characteristics (if any) it may be recognised, that specimen is the lectotype and its status is not subject to subsequent change, except by act of the Commission, or on grounds of false selection (*i.e.*, contravention of the provisions under (iv) above.
- (3) Sub-paragraph (c) on page 75 :
To be cancelled because included as (2) (i) above.
 - (4) Sub-paragraph (d) on page 76 :
To be cancelled because included under (2) (iii) above.
 - (5) Sub-paragraph (e) on page 76 :
To be cancelled because included as a *Recommendation* below.

- (6) Sub-paragraph (f) on page 76 :

To be cancelled and replaced with the following :

The fact that a specimen is a syntype or a paratype of one nominal species does not prevent it from being designated holotype, lectotype, syntype, or paratype of another.

- (7) Sub-paragraph (g) on page 76 :

To be cancelled ; the matter to be replaced with new provisions for neotypes.

- (8) Sub-paragraph (h) on page 76 :

To be cancelled, the procedure that it covers being fully included in the preceding provisions.

- (9) To add the following :-

Recommendation : When a species is based on two or more syntypes, one of which is subsequently designated holotype of a new species, the other becomes presumptive lectotype of the earlier species. Therefore, in fixing a lectotype, the selector should designate that syntype to be the lectotype, unless, in his view, it is not suitable to serve or unless usage would be better maintained by making the first syntype, now holotype of the later species, also lectotype of the earlier one.

ANNEXE TO DOCUMENT 48/1

Suggested Amendments to the New Article or part of Article 31 agreed upon at Paris and recorded on pages 186-188 of Volume 4 of the " Bulletin of Zoological Nomenclature "

(1) That in the definition of lectotype, the clause explaining how lectotype selection becomes effective be removed from the definition and incorporated elsewhere (see proposal for amending Article 31 (2) (v)).

(2) That a provision be added to the effect that when there occurs an erroneous statement in the original description, or a statement apparently intended to apply to specimens subjectively associated with the holotype or lectotype but not to latter, the actual characters of the holotype or lectotype shall nevertheless be the criteria for determining the taxonomic unit to which the trivial name applies.

CASE No. 49

ARTICLE 32 : PROPOSED INSERTION OF A PROVISION FOR THE
REJECTION OF A NAME ON THE GROUND OF INAPPROPRIATENESS
IN CERTAIN CIRCUMSTANCES

(Commission's reference Z.N.(S)723)

DOCUMENT 49/1

By G. H. E. HOPKINS, O.B.E., M.A. (*British Museum (Natural History),
The Zoological Museum, Tring, Herts, England*)

Letter dated 14th July, 1951

On p. 115 of vol. 3 of *Bull. zool. Nomencl.* there was published a proposal that totally misleading trivial names might be suppressed by the Commission. This (*Bull. zool. Nomencl.* 4 : 289) was rejected on the grounds (so far as I can see) that it might lead to numerous requests for changes as a result of changes in the status of countries or parts of countries or changes in the names by which countries were known.

Now I agree that it would be most undesirable that changes should be permitted on such grounds, and the proposer brought this aspect of the question to the fore by citing as an example of a name he wanted changed, the name *britannicus* for the Irish subspecies of *Pieris napi*, although even the most extreme Irish nationalist cannot prevent Ireland being part of the British Isles. But I think that, with one precaution, the suggestion should be reconsidered, the precaution being that, for a suggested rejection to be considered by the Commission, it must be shown that the name was incorrect *at the time it was given*. That would entirely rule out the numerous requests that the Commission feared, and reduce the number of possible cases to a small number in which the name is (and always was) an absurdity. This is a point on which I feel pretty strongly, for I wasted days, weeks and months in Samoa hunting for *Catochrysops samoa*, only to find after I got back to England that apparently the only reason the author had for giving it that name was that the entire type series was captured in Fiji! Another completely absurd one (and I really believe that these cases do harm by bringing nomenclature into disrepute) is *Mustela africana*, which is an American species.

Could this matter be reconsidered by the Commission at a convenient time, please ?

CASE No. 50

ARTICLES 34 AND 35 : PROPOSED ADDITION OF THE CONSONANTAL
" I " AND THE CONSONANTAL " J " AND " YI " AS FORMING A GROUP
OF IDENTICAL LETTERS FOR THE PURPOSES OF THE LAW OF
HOMONYMY

(Commission's reference Z.N.(S.)411)

DOCUMENT 50/1

By HOBART M. SMITH

(University of Illinois, Department of Zoology, Urbana, Illinois, U.S.A.)

Enclosure to a letter dated 16th March, 1949

PROPOSAL OF HOMONYMY WITH THE CONSONANTAL " I "
AT THE CONSONANTAL LETTERS " J " AND " YI "

Pertinent sections of the International Code of Zoological Nomenclature (Articles 35 and 36, and Article 34 as modified by *Opinion* 147) require consideration of each of the following as separate names: *Tapaja* Oken (*Lacerta orbicularis* Linnaeus (by present designation); *Tapayia* Gray (Ann. Philos., n.s., vol. 26, 1825, p. 197), type *Lacerta orbicularis* Linnaeus (by monotypy); and *Tapaya* Fitzinger (Nene Classification der Reptilien, 1826, pp. 17, 49), type *Lacerta orbicularis* Linnaeus by subsequent designation. There is no evidence that any one of these names was based upon the other; no reference is made in any case to previous use of the names by other authors, and instead in each the author claims the name, by statement or implication, as original with him.

Inasmuch as the International Commission on Zoological Nomenclature did, at the Paris meeting in 1948, recommend consideration as homonyms those generic names differing only in the consonantal letters *i*, *y*, *ei*, *ej*, and *ij*, a logical course is indicated for the present case. With the recommendation of Secretary Francis Hemming I suggest that the consonantal letters *j* and *yi* be added to the preceding list, thus rendering the three names cited homonyms.

CASE No. 51

ARTICLES 34 AND 35 : QUESTION WHETHER TWO NAMES CONSISTING OF WORDS DIFFERING FROM ONE ANOTHER IN SPELLING ONLY BY THE PRESENCE IN THE ONE CASE AND BY THE ABSENCE IN THE OTHER, OF A DIACRITIC MARK OVER (OR UNDER) ONE OF THE LETTERS OF THE WORD OF WHICH THE NAMES ARE COMPOSED ARE TO BE TREATED AS HOMONYMS OF ONE ANOTHER

(Commission's reference Z.N.(S.)538)

DOCUMENT 51/1

By **FRANCIS HEMMING, C.M.G., C.B.E.**

(Secretary to the International Commission on Zoological Nomenclature)

Dr. HELEN MUIR-WOOD'S REQUEST FOR A CLARIFICATION OF THE PROVISIONS IN ARTICLE 20 RELATING TO THE USE OF DIACRITIC MARKS IN RELATION TO THE LAW OF HOMONYMY

The question whether two names differing from one another in spelling only by the presence, in the one case, and by the absence, in the other case, of a diacritic mark over one of the letters of which the word is comprised are to be treated as homonyms of one another has been raised by Dr. Helen Muir-Wood. The publication of her application (1951, *Bull. zool. Nomencl.* 6 : 92-94) elicited a considerable amount of comments from various quarters. Among these comments there was a proposal that Article 20 should be amended in such a way as to exclude diacritic marks from its scope. If this proposal were to be approved, it would dispose entirely of Dr. Muir-Wood's proposal, which would cease to have any relevance. Clearly therefore the first thing to be done in this matter is to obtain a decision on the proposal that diacritic marks should no longer be used in the writing of scientific names. Accordingly, this major question has been put forward under Article 20, where it figures as Case No. 20.

2. Naturally, the comments received in relation to Dr. Muir-Wood's application throw light on the attitude of the specialists concerned in regard to the broader question whether the requirement that diacritic marks should be

used should be dispensed with. Accordingly, the whole of the documentation received on the subject of diacritic marks has been included among the documentation relating to the foregoing question (Case No. 20).

3. Most of the specialists who have commented upon Dr. Muir-Wood's proposal—and whose comments are given under Case No. 20 or are there referred to—are in favour of treating as distinct any names which differ from one another only by the presence or the absence of a diacritic mark. It is necessary, therefore, to consider the position which would arise in the event of the rejection of the proposal (Document 20/4) that the reference to diacritic marks should be deleted from Article 20. Accordingly, attention is drawn to the fact that the whole of the documentation relating to the relationship of Article 20 to Articles 34 and 35 has included under, or referred to under, Case No. 20—the case dealing with the broader issues referred to above. It may be convenient, however, at this point to provide the following brief summary :—

- (a) Authors who take the view that the presence over (or under) a letter comprised in a word published as a scientific name constitutes a difference in spelling, when that name is compared with another name consisting of an otherwise identical word, no letter of which bears a diacritic mark, and therefore that such names are not homonyms of one another :
 - (1) Dr. C. J. Stubblefield (*London*) ;
 - (2) Professor E. M. Hering (*Berlin*) ;
 - (3) Professor Leif Størmer (*Oslo*) ;
 - (4) Mr. Joshua L. Baily, Jr. (*San Diego, California, U.S.A.*) ;
 - (5) Dr. Ernst Mayr (*New York*) ;
 - (6) Professor Raymond C. Moore (*Lawrence, Kansas, U.S.A.*).
- (b) Authors who consider that names of the type referred to in (a) above should be treated as homonyms of one another :
 - (1) The Joint Committee on Zoological Nomenclature for Paleontology in America (by a majority of eight to three) ;
 - (2) Professor J. Chester Bradley (*Ithaca, N.Y., U.S.A.*) ;
 - (3) Dr. K. H. L. Key (*Canberra, Australia*) ;
 - (4) Dr. Henning Lemche (*Copenhagen*) ;
 - (5) Nomenclature Discussion Group, Washington, D.C. ;
 - (6) Dr. J. Marvin Weller (*Chicago*) ;
 - (7) Professor Rudolf Richter (*Frankfurt a.M.*) ;
 - (8) American Committee on Entomological Nomenclature.

CASE No. 52

ARTICLES 34 AND 35 : PROPOSED CLARIFICATION OF CERTAIN ASPECTS OF, IN RELATION TO NAMES DIFFERING FROM ONE ANOTHER ONLY THROUGH THE PRESENCE OR ABSENCE OF DIACRITIC MARKS

(Commission's reference Z.N.(S.)540)

DOCUMENT 51/1

Proposal by **FRANCIS HEMMING**, C.M.G., C.B.E.

(*Secretary to the International Commission on Zoological Nomenclature*)

Attention is drawn to a note on the subject of Articles 34 and 35 in relation to names differing from one another in spelling through the presence, or absence, of a diacritic mark over (or under) one of the letters of the words of which the names in question are composed which I wrote at the time of the publication of Dr. Helen Muir-Wood's request for a ruling whether such names are to be regarded as homonyms of one another. This note was written on the assumption—no proposal to the contrary then having been made—that the existing reference to diacritic marks would be retained in Article 20. Since that date—as has already been explained—a proposal has been received that the requirement in Article 20 that diacritic marks are to be retained should be repealed. This proposal is dealt with in the present series of papers as Case No. 20. If that proposal were to be approved, the first of the two questions dealt with in the present case would cease to have any practical importance.

2. In the paper referred to above (Hemming, 1951, *Bull. zool. Nomencl.* 6: 94-96), I made two suggestions of a drafting character designed to give a categorical answer to questions which at various times I had received as to the meaning of Article 20. These suggestions were:—

- (1) that words should be inserted to make it clear that the rules (adopted in Paris) relating to the automatic correction of breaches of the provisions of Article 20 (see 1950, *Bull. zool. Nomencl.* 4: 67-68) relate only to cases where a diacritic mark which appeared in the patronymic upon which a given name is based is incorrectly omitted on the latinisation of that word for the purpose of forming a scientific name (whether a generic name or a trivial name);

- (2) that the relevant portion of Article 20 should be redrafted in order to make it clearer that this Article does prescribe any particular method for indicating the presence of a diacritic mark, it being left to the discretion of authors (for example) either to use an umlaut or alternatively to insert the letter "e" after the vowel concerned, though (as recommended by the Boston Congress of 1907) the latter method is recommended.

3. At the same time attention is drawn to a suggestion since received from Mr. Joshua L. Baily, Jr. (*San Diego, California, U.S.A.*) (1952, *Bull. zool. Nomencl.* 6: 254) that the second of the two methods for indicating an umlaut (*i.e.*, that recommended by the Boston Congress should be rendered mandatory. Attention is invited also to the similar proposal more recently received from Professor Richter (*Frankfurt a.M.*) (for the text of which see pp. 90-100 of the present volume).

CONTENTS

(continued from front wrapper)

Copenhagen Discussions : Cases 39-52

	Page
Case No. 39 : Article 30 : proposed insertion of a provision clarifying the question of the nominal species to be regarded as eligible for selection as the type species of a genus established without cited nominal species, in cases where a subsequent author, without citing such a species, gives a bibliographical reference to a work in which such a species is cited	392
Case No. 40 : Article 30 : proposed amendment of the provisions relating to the procedure to be followed in dealing with nominal genera based, or alleged to have been based, upon misidentified type species. . .	394
Case No. 41 : Article 30 : proposed clarification of Rule (c) .. .	397
Case No. 42 : Article 30, Rule (f) (Rule relating to the type species of a nominal genus, the name of which is published to replace an earlier name) : proposed introduction of words to make it clear that the Rule applies only where a name is expressly published as a substitute for another name	400
Case No. 43 : Article 30, Rule (f) : proposed clarification of the position as regards the nominal species eligible to be the type species of two nominal genera, of which the name of one was published as a substitute for the other	402
Case No. 44 : Article 30, Rule (g) : proposed insertion of words to make it clear that the selection of a given structure exhibited by a specimen referred to a specified nominal species as typical of a given nominal genus does not constitute the selection of that species as the type species of that genus	406
Case No. 45 : Article 30 : proposed repeal of the portion of Rule (g) arising from the interpretation in "Opinion" 6.	409
Case No. 46 : Article 31 : proposed amendment of provisions relating to nominal species subjectively regarded by taxonomists as composite species	411
Case No. 47 : Article 31 : proposed refinement of provisions relating to lectotypes	415
Case No. 48 : Article 31 : suggested drafting amendments .. .	418
Case No. 49 : Article 32 : proposed insertion of a provision for the rejection of a name on the ground of inappropriateness in certain circumstances	421
Case No. 50 : Articles 34 and 35 : proposed addition of the consonantal "i" and the consonantal "j" and "yi" as forming a group of identical letters for the purposes of the Law of Homonymy .. .	422
Case No. 51 : Articles 34 and 35 : question whether two names consisting of words differing from one another in spelling only by the presence in the one case and by the absence in the other, of a diacritic mark over (or under) one of the letters of the word of which the names are composed are to be treated as homonyms of one another .. .	423
Case No. 52 : Articles 34 and 35 : proposed clarification of certain aspects of, in relation to names differing from one another only through the presence or absence of diacritic marks	425